

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

DONNA CHESSEN,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:21-cv-367
)	
BETH K. GREENE and)	
GREENE & SCHULTZ TRIAL LAWYERS, LLC,)	DEMAND FOR JURY TRIAL
)	
Defendants.)	

COMPLAINT FOR DAMAGES

Plaintiff Donna Chessen, by counsel, for its Complaint for Damages against defendants Beth K. Greene and Greene & Schultz Trial Lawyers, LLC, states and alleges as follows:

1. Plaintiff Donna Chessen is an individual who resides in the State of California.
2. Defendant Beth K. Greene is a duly licensed attorney in the State of Indiana who upon information and belief resides in the Southern District of Indiana.
3. Defendant Greene & Schultz Trial Lawyers, LLC is an Indiana limited liability company with its principal place of business in Monroe County. Its members upon information and belief reside in the Southern District of Indiana.
4. Jurisdiction for this action is based on 28 U.S.C. § 1332 in that plaintiff and defendants are citizens of different states and the amount in controversy exceeds Seventy Five Thousand Dollars (\$75,000.00).
5. Venue for this action properly lies in the U.S. District Court for the Southern District of Indiana under 28 U.S.C. § 1391(b).
6. On October 17, 2017, while a passenger on the American Duchess cruise ship on the Mississippi River at Memphis, Tennessee, plaintiff Chessen fell and was seriously injured.

7. The fall and serious injuries were due to negligence of the ship owner and operator, American Queen Steamboat Operating Company, LLC.

8. Pursuant to a written engagement, plaintiff Chesson retained defendants Beth K. Greene and her firm, defendant Greene & Schultz Trial Lawyers, LLC, to represent her on a claim for personal injuries against American Queen Steamboat Operating Company, LLC (“American Queen”).

9. Under the engagement for legal services, defendants owed plaintiff Chesson the duty to exercise the ordinary skill and knowledge possessed by an Indiana attorney in representing her interests.

10. In August, 2019, defendants on behalf of plaintiff Chesson filed suit in this Court, Chesson v. American Queen Steamboat Operation, LLC, Case No. 4:19-cv-174-JMS-DML, asserting a claim of personal injuries (the “Underlying Action”).

11. On May 18, 2020, this Court granted summary judgment in the Underlying Action to American Queen on the grounds that plaintiff Chesson’s action for personal injuries was barred by an applicable one-year statute of limitations.

12. By failing to file plaintiff Chesson’s action for personal injuries before expiration of the statute of limitations, defendants breached their professional duty of care to plaintiff Chesson.

13. Defendants candidly admitted their breach of duty in correspondence to plaintiff Chesson, a true and accurate copy of which is attached hereto as Exhibit A.

14. As a proximate result of defendants’ breach of duty, plaintiff Chesson has sustained damages as a result of the loss of her claim for personal injuries.

WHEREFORE, plaintiff Donna Chesson, by counsel, respectfully requests the Court to enter judgment in her favor and against defendants Beth K. Greene and Greene & Schultz Trial Lawyers, LLC in an amount as shown by the evidence, for costs and for all other proper relief.

LANDMAN BEATTY, LAWYERS, LLP

/s/Donald D. Levenhagen

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